

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**COBY COOK**

**PLAINTIFF**

**v.**

**No. 4:21CV151-RP**

**WARDEN ORA STARKS, ET AL.**

**DEFENDANTS**

**ORDER OF DISMISSAL**

The court takes up, *sua sponte*, the dismissal of this cause. On November 15, 2021, the court entered an order requiring the plaintiff to complete and return the documents necessary to process his application to proceed as a pauper within 21 days. Doc. 5. The court cautioned the plaintiff that failure to comply with the order would result in the dismissal of this case without prejudice. Though the court sent the plaintiff the correct forms, he returned a different form for seeking to proceed *in forma pauperis*. The court sent the plaintiff another set of forms, with instructions, but the plaintiff again returned the wrong form. The plaintiff has thus failed to comply with the court's order, and the deadline for compliance passed on December 6, 2021. This case is therefore **DISMISSED** without prejudice for failure to prosecute and for failure to comply with an order of the court under FED. R. CIV. P. 41(b).

**SO ORDERED**, this, the 28th day of February, 2022.

s/ Roy Percy  
UNITED STATES MAGISTRATE JUDGE